

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JOSEPH CHIDI ANORUO,

Plaintiff,

vs.

ERIK K. SHINSEKI,

Defendant.

Case No. 2:12-cv-01190-JCM-GWF

**ORDER**

Motion to Stay Proceedings (#25)

This matter comes before the Court on Plaintiff Joseph Anoruo's ("Plaintiff") Motion to Stay Proceedings (#25), filed on December 6, 2012. Defendant Erik Shinseki filed a timely Opposition (#26) on December 12, 2012.

Plaintiff filed a Notice of Appeal (#20) to the Ninth Circuit regarding this Court's Orders (#16, #19) ("Orders") on November 6, 2012. Plaintiff then filed the instant Motion to stay this case pending the appeal. The Ninth Circuit subsequently dismissed Plaintiff's Notice of Appeal on December 12, 2012. *See Doc. #29*. Plaintiff filed the proper Motion to Reconsider the Orders (#31) on December 19, 2012.

Plaintiff carries a "heavy burden" of making a "strong showing" that a stay is warranted in this case. *See Turner Broadcasting, Inc. v. Tracinda Corp.*, 175 F.R.D. 554, 556 (D. Nev. 1997). Plaintiff's appeal was not properly before the Ninth Circuit. *See Doc. #29; See also Chacon v. Babcock*, 640 F.2d 221, 222 (9th Cir. 1981) (holding an order is not appealable unless it disposes of all claims as to all parties). Furthermore, the discovery cutoff in this case is not until July 1, 2013. *See Scheduling Order, Doc. #30*. Therefore, the Court finds Plaintiff has not made a showing sufficient to warrant a stay of proceedings in this case. Accordingly,

1           **IT IS HEREBY ORDERED** that Plaintiff's Motion to Stay Proceedings Pending Appeal  
2       (#25) is **denied**.

3           DATED this 8th day of January, 2013.

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6           GEORGE FOLEY, JR.  
7           United States Magistrate Judge  
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